



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2900 FAX (603) 271-2456



March 12, 2004

CERTIFIED MAIL
7000 1670 0000 0585 9084
RETURN RECEIPT REQUESTED

NOTICE OF PAST VIOLATION

Dartmouth Printing Company
69 Lyme Road
Hanover, New Hampshire 03755

Attn: Mr. Keith M. Ford, Facilities Manager

Re: Dartmouth Printing Company
Hanover, New Hampshire
EPA ID # NHD054005319

Dear Mr. Ford:

On January 23 and 26, 2004, the Department of Environmental Services, Waste Management Division ("DES") conducted an inspection of Dartmouth Printing Company ("DPC"). The purpose of the inspection was to determine DPC's compliance status relative to RSA Ch. 147-A and the New Hampshire Hazardous Waste Rules, Env-Wm 100-1100.

As a result of the inspection and review of the information provided to DES, the following deficiencies were documented:

Env-Wm 502.01 – Hazardous Waste Determination

At the time of the inspection, no formal hazardous waste determination had been performed on the "CTP Waste" generated in the Computer-to-Plate Area.

Env-Wm 502.01 requires a generator of a waste to determine if their waste is a hazardous waste. Waste determined to be hazardous must be handled pursuant to the requirements of the Hazardous Waste Rules.

DES requested that DPC test a representative sample of the "CTP Waste" for the characteristic of corrosivity as defined in Env-Wm 403.04. The analysis should include, at a minimum, the test for pH using Method 9040 found in Test Methods for Evaluating Solid Wastes, SW-846, or an equivalent approved test method.

A February 9, 2004 e-mail submittal from Mr. Keith Ford, Facilities Manager, provided laboratory analysis to confirm that the "CTP Waste" was non-hazardous. No further action is required.

2 Env-Wm 509.02(a)(2) Personnel Training

A review of DPC's personnel training program revealed the following deficiencies

- (a) The Emergency Coordinators identified below had not taken part in annual hazardous waste training reviews for years noted:
 - Keith Ford - 1999, 2001;
 - 2. Kathy Lowell - 1999, 2003;
 - 3. Rocky Kostreva - 2003, and
 - 4. M. Tony Davidson - 1999.
- (b) Hazardous Waste Handler Ron Swanson, who is responsible for managing the facility's Hazardous Waste Storage Area, had not taken part in annual hazardous waste training reviews in the years 1999 and 2003.
- (c) Lou Szeg, who is responsible for conducting weekly hazardous waste container inspections, had not taken part in an annual hazardous waste training review in 2003.
- (d) DPC's facility training records failed to document a training program which includes a list of hazardous waste job titles, job descriptions, descriptions of introductory and continuing training to be provided for each position, and names of employees filling each position.

Env-Wm 509.02(a)(2), which references 40 CFR 265.16, Personnel Training, requires full quantity generators to maintain a personnel training program. This includes, but is not limited to, ensuring that reviews are conducted for personnel handling hazardous waste. Env-Wm 509.02(a)(2) also requires full quantity generators to maintain at the facility, specific documents and records related to personnel training.

DES requested that DPC conduct and document hazardous waste training and annual updates for the Emergency Coordinators and employees responsible for hazardous waste management. DES also requested that DPC maintain, as part of the facility training program, documents of hazardous waste job titles, job descriptions, and names of employees filling each position and correct any deficiencies as identified in the enclosed Full Quantity Generator Module. Lastly, DES requested that DPC submit a copy of this personnel training program to DES.

A February 5, 2004 e-mail submittal from Mr. Keith Ford, Facilities Manager, provided a written personnel training program which included a list of hazardous waste job titles, job descriptions, descriptions of introductory and continuing training to be provided for each position, and names of employees filling each position. The submittal also provided a list of employees that are scheduled to receive hazardous waste training for the year 2004. No further action is required.

3. Env-Wm 509.02(a)(5) – Contingency Plan

A review of DPC's contingency plan revealed deficiencies regarding the following

- (a) The list of persons qualified to act as an emergency coordinator had not been updated; and

A physical description of emergency equipment item, and a brief outline of the equipment capability.

Env-Wm 509.02(a)(5), which references 40 CFR 265, Subpart D, requires full quantity generators to maintain a complete contingency plan at the site.

DES requested that DPC revise and update its contingency plan to correct any deficiencies as identified in the enclosed Contingency Plan Module.

In a January 30, 2004 e-mail submittal from Mr. Keith Ford, Facilities Manager, documentation was provided demonstrating that DPC's contingency plan was complete. A subsequent February 5, 2004 e-mail submittal also provided documentation exhibiting that DPC's updated contingency plan had been submitted to the local authorities. No further action is required.

4. Env-Wm 509.02(b) – Emergency Posting

At the time of the inspection, DPC's emergency posting at the nearest telephone to the hazardous waste storage area was present but incomplete.

Env-Wm 509.02(b) requires that full quantity generators shall post a list of the steps to take if an emergency occurs and the following emergency numbers at the nearest telephone to the hazardous waste storage area:

The emergency coordinators (home and office);

The fire department, police department, and State of New Hampshire and local emergency response teams that may be called upon to provide emergency services, unless the facility has a 24-hour response team designated to provide emergency services whose number is posted; and

The location of fire extinguishers and spill control material, and if present, fire and internal emergency alarms.

DES requested that DPC post the required information at the nearest telephone to the hazardous waste storage area.

In a January 30, 2004 e-mail submittal from Mr. Keith Ford, Facilities Manager, documentation was provided demonstrating that DPC's emergency posting was complete. No further action is required.

5. Env-Wm 509.03 - Satellite Storage Requirements

At the time of inspection, two (2) 55-gallon satellite accumulation containers of hazardous waste "NH01 Waste Oil/Lube Oil" was observed outside of the Hazardous Waste Storage Area. The waste container served as a consolidation point which was not at or near the points of generation or under the control of the process operator.

Env-Wm 509.03 requires that all satellite storage areas be located at or near any point of generation where the wastes initially accumulate and be under the control of the operator of the process generating the waste.

DES requested that DPC relocate the above-mentioned hazardous waste satellite accumulation containers to a location at or near the point of generation or to a designated hazardous waste storage area.

A February 5, 2004 e-mail submittal from Mr. Keith Ford, Facilities Manager, provided a photograph to demonstrate that the two (2) 55-gallon satellite accumulation containers of hazardous waste "NH01 Waste Oil/Lube Oil" had been relocated. As a result, no further action is required.

6. Env-Wm 102.03 - Universal Waste Management

At the time of the inspection, one (1) pallet of universal waste CRTs located in the Maintenance Shop (MS) was not marked with the words "Universal Waste – Cathode Ray Tubes", "Waste Cathode Ray Tube(s)", or "Used Cathode Ray Tube(s)".

Env-Wm 1102.03 which references Env-Wm 1113.04 requires universal waste handlers to ensure all container(s) holding universal waste CRTS to be clearly labeled or marked with any of the following: "Universal Waste – Cathode Ray Tubes", "Waste Cathode Ray Tube(s)", or "Used Cathode Ray Tube(s)".

DES requested that DPC clearly label or mark container(s) holding universal waste CRTs with any of the following: "Universal Waste – Cathode Ray Tubes", "Waste Cathode Ray Tube(s)", or "Used Cathode Ray Tube(s)".

In a January 30, 2004 e-mail submittal from Mr. Keith Ford, Facilities Manager, provided documentation substantiating compliance with the Universal Waste container marking/labeling requirements. No further action is required.

7 Env-Wm 1102.03(c)(1) – Universal Waste Management

At the time of the inspection, the following containers of universal waste lamps were not closed:

- (a) One (1) altered 55-gallon container of fifteen (15) lamps located in the Hazardous Waste Storage Area (HWSA);
- (b) One (1) altered 55-gallon container of fifty (50) lamps located in the MS; and
- (c) Three (3) 4-foot boxes located in the MS.

Env-Wm 1102.03(c)(1) requires universal waste containers to be closed, except when universal waste is being added to or removed from the container.

DES requested that DPC ensure that containers of universal waste lamps are closed, except when universal waste is being added to or removed from the container.

In a January 30, 2004 e-mail submittal from Mr. Keith Ford, Facilities Manager, documentation was provided to substantiate compliance with the Universal Waste closed container requirement. No further action is required.

8 Env-Wm 112.04 - Universal Waste Management

At the time of the inspection, the following containers of universal waste lamps were not marked with the words “Universal Waste – Lamps”, “Waste Lamp(s)”, or “Used Lamp(s).”

One (1) altered 55-gallon container of fifteen (15) lamps located in the HWSA;

Sixteen (16) 4-foot boxes located in the HWSA;

One (1) altered 55-gallon container of fifty (50) lamps located in the MS; and

- (d) Three (3) 4-foot boxes located in the MS.

Env-Wm 1112.04 requires universal waste handlers to ensure all container(s) holding universal waste lamps to be clearly labeled or marked with any of the following: “Universal Waste – Lamps”, “Waste Lamp(s)”, or “Used Lamp(s).”

DES requested that DPC clearly label or mark containers holding universal waste lamps with any of the following: “Universal Waste – Lamps”, “Waste Lamp(s)”, or “Used Lamp(s).”

In a January 30, 2004 e-mail submittal from Mr. Keith Ford, Facilities Manager, provided documentation substantiating compliance with the Universal Waste container marking/labeling requirements. No further action is required.

The January 23 and 26, 2004 inspection revealed that DPC generates contaminated wipers in various areas throughout the facility. According to facility representatives, the wipers are collected for off-site laundering. At the time of the inspection, all of DPC's wiper collection containers were closed; however, all containers were not marked with the words "Contaminated Wipers for Laundering." Contaminated wipers, generated by DPC, are subject to the DES "Contaminated Cloth Wipers for Laundering" Policy outlined in DES's Fact Sheet (WMD-HW-6). However, a portion of the before-mentioned management practices are inconsistent with the established policy. Therefore, DES requested that DPC amend the current contaminated wiper management and storage practices to establish full compliance.

In a January 30, 2004 e-mail submittal from Mr. Keith Ford, Facilities Manager, documentation was provided to substantiate that all facility contaminated wiper containers were marked with the words "Contaminated Wipers for Laundering." No further action is required.

At the time of inspection, according to DES notification records, DPC had notified as a Large Quantity Generator (>1000 kilograms/ month). However, a review of waste disposal records suggests that DPC's generator status is that of a Full Quantity Generator (100 - 1000 kilograms/ month). During the inspection, DES requested that DPC review facility hazardous waste generation rates in order to determine proper generator status; and if necessary, complete and submit a subsequent notification form that accurately reflects the change in generator status.

DES believes the deficiencies identified during the inspection have been corrected and acknowledges receipt of a report describing the corrective measures taken by DPC to achieve compliance. Accordingly, no further action in response to the listed deficiencies is required. However, DES personnel may reinspect your facility at a later date to determine whether the facility is maintaining full compliance with the applicable rules. Fines may also be pursued for any or all violations observed during this or subsequent inspections of the facility.

Enclosed you will find a copy of the completed Hazardous Waste Generator Inspection Report which documents the compliance status of your facility at the time of the inspection. This checklist may also be of value to you for use in determining future compliance with the New Hampshire Hazardous Waste Rules.

The State of New Hampshire Hazardous Waste Rules, as well as much other useful information, can be obtained from DES's website at <http://www.des.state.nh.us/hwcs/>, or by contacting the Public Information Center at (603) 271-2975.

It is the goal of DES to promote the prevention of pollution at the source as the preferred option for meeting established environmental quality goals. We strive to ensure that pollution prevention options are considered first, followed by recycling, treatment and disposal. I am

requesting that the DES's Pollution Prevention Coordinator, Stephanie D'Agostino, contact you to discuss possibilities for waste minimization or source reduction at your facility. In the meantime, if you have immediate questions about pollution prevention, please feel free to contact her at 271-6398.

As a service to New Hampshire's hazardous waste generators, we maintain a Hazardous Waste Assistance Hotline which is available for you to contact our knowledgeable staff of hazardous waste inspectors. Our hazardous waste staff is available to answer your questions concerning the New Hampshire Hazardous Waste Rules and the compliance issues which affect your hazardous waste management program. The technical assistance available through the Hotline includes fact sheets that pertain to the management and recycling of specific wastes, summary sheets of specific sections of the Hazardous Waste Rules, copies of EPA and New Hampshire hazardous waste policy or regulatory interpretation letters that may benefit your operation, and networks with other state or federal agencies to answer your questions on a national level. The Hotline is available Monday through Friday, 8:00 AM to 4:00 PM toll free at (866) HAZ-WAST (in-state only) or at (603) 271-2942.

If you believe that the deficiencies documented in this NOPV have been cited in error, or if you have any questions regarding this letter, please contact the lead inspector, Eric K. Abrams or John J. Duclos, Supervisor of the Hazardous Waste Compliance Section at 271-2942. Specific questions regarding water related issues may be directed to Sharon Nall of DES's Water Division at 271-3307, and for air related issues, please contact Pam Monroe of DES's Air Resources Division at 271-1370. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth W. Marschner", is written over the word "COPY".

Kenneth W. Marschner, Administrator
Waste Management Programs
Waste Management Division

DB/RCRA/NOPV/Archives
Anthony P. Giunta, P.G., Director, Waste Management Division
Gretchen Rule Esq., Administrator, DES Legal Unit
John M. Elliott, Vice President – Operations, DPC

E-mail: JJD/SD/SN/PM

Enclosure: Inspection Modules